

REMARKS

This is a full and timely response to the Office Action mailed October 4, 2005. The present application has 29 claims with claims 1, 9, 18, 23, 29 and 30 being independent. No claims are amended herein. Reexamination and reconsideration of the application is respectfully requested.

Objections to the Drawings

The Examiner has requested corrected drawings in compliance with 37 CFR 1.121(d). Substitute, formal drawings are submitted with this response.

Claim Rejections under 102(e)

Claims 1-16 and 18-30 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,289,322 to Kitchen et al. It is stated in the Office Action that in regards to independent claims 1, 9, 18, 23, 29, and 30, Kitchen discloses the element of “transmitting to a payer, via a network, a bill including a first charge, a second charge, a location identifier of first non-bill information upon which the first charge is based, and a location identifier of second non-bill information upon which the second charge is based”. To support this argument, the Examiner cites to col. 3, lines 15-45 and Figures 4-6, 9a, 10a, and 14 of Kitchen.

Kitchen is generally directed to a method of electronically presenting billing information. Kitchen teaches receiving requests by payors for current billing information, responsive to which bill presentment information corresponding to the applicable portion of the billing information is transmitted to the requesting payor. However, nowhere does Kitchen teach the transmission of a bill including location identifiers of non-bill information upon which a bill charge is based.

Illustratively, the Examiner points to personal information in Figure 5 of Kitchen as being “first non-bill information.” This cannot be the case. The plain language of the claims of the present application require that a location identifier for the “first non-bill information” be transmitted in association with the transmission of bill information. In Kitchen, the personal information is entered by the payor into an enrollment screen which

is not associated with any particular bill. Instead, the personal information is used to register a payor with an overall electronic billing system.

The Examiner also points to the banking and login information shown in Figure 6 of Kitchen as teaching “non-bill information.” However, this fails for the same reasons as the personal information indicated in Figure 5 of Kitchen. Again, the claims of the present application require that a location identifier for the “non-bill information” be transmitted to a payor as part of a bill. In Kitchen, the banking and login information is entered by the payor into an enrollment screen which is not associated with any particular bill. Instead, the banking and login information is used to register a payor with an overall electronic billing system. Furthermore, it seems unclear as to how banking and login information could be “information upon which the first [or second] charge is based.”

Regardless, Kitchen teaches no “location identifier” for “first non-bill information.” The Examiner has not cited to any part of Kitchen which teaches this element. Again, looking at Figure 5, assuming that personal information is “first non-bill information”, there is no location identifier which instructs the user how to retrieve such information. Instead, the information is directly entered by the payor, thus eliminating a need for such a location identifier.

The Examiner argues that the act of the payor logging on to the Internet to access a bill pay system in Kitchen is the equivalent of the present invention. However, this is clearly not the case. While it is possible that the system in Kitchen will retrieve the payor’s personal, banking and login information upon logging on to the bill pay system, this information is not retrieved through the use of location identifiers associated with the transmission of bill information transmitted to the payor.

Correspondingly, the Applicant respectfully submits that independent claims 1, 9, 18, 23, 29, and 30 are patentable over the cited prior art. Therefore, as a matter of law, dependent claims 2-8, 10-16, 19-22, and 24-28 are patentable subject matter. Furthermore, certain defendant claims contain subject matter that also makes them separately patentable. For example, claims 2 and 10 of the present invention teach “first non-bill information is a first portion of a document and the second non-bill information is a second portion of the same document.” The Examiner states that this element is taught by Kitchen through use of personal information and banking/login information,

but the Examiner cites no portion of the reference that this information is contained in the same document. Kitchen nowhere teaches the storing of these two sets of information in the same document. For these reasons, dependent claims 2 and 10 are patentable over Kitchen.

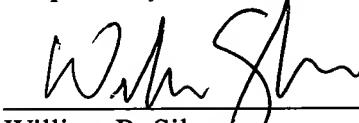
Similarly, claims 5, 14, and 26 were rejected as the Examiner cited to Kitchen as teaching a bill being transmitted by a bill presentment server and non-bill information being transmitted by a non-bill presentment server. The Examiner cites to Figures 8-9b of Kitchen as showing this element. However Figures 8-9b of Kitchen merely show screens displayed to a user of the bill presentment system. Nowhere is the use of more than one server discussed in Kitchen. For this reason, dependent claims 5, 14, and 26 are patentable over Kitchen.

CONCLUSION

For at least the reasons set forth above, it is respectfully submitted that all pending claims in the present application are in condition for allowance. It is believed that all outstanding objections and/or rejections have been rendered moot, accommodated and/or traversed. If the Examiner is compelled to do other than allow all the pending claims, or has any comments or suggestions which will place the application in even better form for allowance, the Examiner is respectfully requested to contact the undersigned attorney. Any questions may be directed to the undersigned at 404.853.8214.

It is not believed that extensions of time or fees for net addition of claims are required beyond those which may be otherwise provided for in the documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

Respectfully submitted,



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